



Order Filed on July 2, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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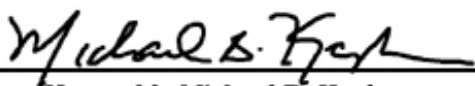
In Re:
Richard Kuhn and
Lorraine M. Kuhn

Case No.: 17-31259-MBK
Chapter: 13
Judge: Michael B. Kaplan

**ORDER ON MOTION FOR AUTHORIZATION
TO ENTER INTO FINAL LOAN MODIFICATION AGREEMENT
(CHAPTER 13)**

The relief set forth on the following page is **ORDERED**.

DATED: July 2, 2020



Honorable Michael B. Kaplan
United States Bankruptcy Judge

The Court having reviewed the Motion for Authorization to Enter into Final Loan Modification Agreement filed on May 10, 2020, as to the first mortgage [*enter first, second, third, etc.*] concerning real property located at 738 Croy Road, Brick, NJ 08724-1102, and the Court having considered any objections filed to such motion, it is hereby ORDERED that:



The debtor is authorized to enter into the final loan modification agreement.

1) The loan modification must be fully executed no later than 14 days from the date of this order. If it is not, the secured creditor, within 14 days thereafter, must file with the Court and serve on the debtor, debtor's attorney, if any, and the standing trustee a Certification indicating why the agreement was not fully executed. A response by the debtor, if any, must be filed and served within 7 days of the filed date of the secured creditor's Certification; and

2) Upon the filing of the Certification required above, and absent a response from the debtor, the standing trustee may disburse to the secured creditor all funds held or reserved relating to its claim. Absent the filing of the Certification within the time frame set forth above, the standing trustee will disburse funds on hand to other creditors pursuant to the provisions of the confirmed Plan and any proof of claim filed in this case with respect to the mortgage is deemed modified and incorporated into the Loan Modification Agreement; and

3) Unless the debtor's Plan has been confirmed with 100% paid to unsecured creditors, the debtor must file a *Modified Chapter 13 Plan and Motions* within 14 days of consummation of the loan modification. If the loan modification results in material changes in the debtor's expenses, the debtor must also file amended Schedules I and J within 14 days of the date of this Order; and

4) Check one:



There is no order requiring the debtor to cure post-petition arrears through the Plan; or



Post-petition arrears are capitalized into the loan modification agreement, and the Order filed on _____ requiring the Standing Trustee to make payments based on the arrearage is vacated as of the date of this order; or



Post-petition arrears have not been capitalized into the loan modification agreement, and the Standing Trustee will continue to make payments to the secured creditor based on the Order filed on _____; and

5) If fees and costs related to loss mitigation/loan modification are sought by the debtor's attorney, an Application for Compensation in compliance with D.N.J. LBR 2016-1 must be filed.



The Motion for Authorization to Enter into Final Loan Modification Agreement is denied.

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Certificate of Notice Page 3 of 3

United States Bankruptcy Court
District of New JerseyIn re:
Richard Kuhn
Lorraine M. Kuhn
DebtorsCase No. 17-31259-MBK
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 02, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 04, 2020.
db/jdb Richard Kuhn, Lorraine M. Kuhn, 738 Croy Rd, Brick, NJ 08724-1102

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 04, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 2, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com
 Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
 Brian C. Nicholas on behalf of Loss Mitigation Specialized Loan Servicing, LLC
 bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
 Denise E. Carlon on behalf of Creditor The Bank of New York Mellon FKA The Bank of New York,
 as Trustee for the certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series
 2007-4 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Gavin Stewart on behalf of Creditor Specialized Loan Servicing, LLC, as servicer for The
 Bank of New York Mellon bk@stewartlegalgroup.com
 Marc C Capone on behalf of Joint Debtor Richard Kuhn ecf@gbclawgroup.com,
 mcapone@ecf.courtdrive.com;e4eaf5f23@maildrop.clio.com;mcapone@ecf.courtdrive.com;mcapone@gbclawg
 roup.com;jgillman@ecf.courtdrive.com
 Marc C Capone on behalf of Debtor Richard Kuhn ecf@gbclawgroup.com,
 mcapone@ecf.courtdrive.com;e4eaf5f23@maildrop.clio.com;mcapone@ecf.courtdrive.com;mcapone@gbclawg
 roup.com;jgillman@ecf.courtdrive.com
 Rebecca Ann Solarz on behalf of Creditor The Bank of New York Mellon FKA The Bank of New York,
 as Trustee for the certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series
 2007-4 rsolarz@kmlawgroup.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9